

To: Wirtschafter, Joshua[Wirtschafter.Joshua@epa.gov]
Cc: O'Brien, Brad (ENRD)[Brad.O'Brien@usdoj.gov]; Ted Weiss[tweiss@glaserweil.com]
From: Noah Perch-Ahern
Sent: Thur 4/7/2016 10:53:14 PM
Subject: Re: Reller subpoena and FOIA EPA-R9-2016-004460
[image001.png](#)
[image002.jpg](#)

.....
>>>>>>

Pls call me on my cell - 310 266 3973. I'll only have about 15 mins unfortunately....

Noah Perch-Ahern, Esq.

Glaser Weil

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(310) 556-7842

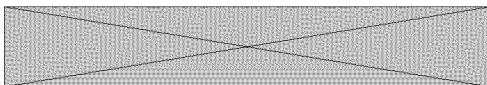
On Apr 7, 2016, at 2:59 PM, Wirtschafter, Joshua <Wirtschafter.Joshua@epa.gov> wrote:

Hi Noah,

We may be able to call you later this afternoon. Will you be available around 4:30?

From: Noah Perch-Ahern [<mailto:nperchahern@glaserweil.com>]
Sent: Thursday, April 07, 2016 1:25 PM
To: O'Brien, Brad (ENRD) <Brad.O'Brien@usdoj.gov>; Wirtschafter, Joshua <Wirtschafter.Joshua@epa.gov>
Cc: Ted Weiss <tweiss@glaserweil.com>
Subject: RE: Reller subpoena and FOIA EPA-R9-2016-004460

We'll need to do it by tomorrow. The depo is Tuesday. Noon is ok.



Noah Perch-Ahern | Partner

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From: O'Brien, Brad (ENRD) [<mailto:Brad.O'Brien@usdoj.gov>]
Sent: Thursday, April 7, 2016 1:24 PM
To: Wirtschaftfer, Joshua; Noah Perch-Ahern
Cc: Ted Weiss
Subject: RE: Reller subpoena and FOIA EPA-R9-2016-004460

Tomorrow is tight, how about noon tomorrow for the follow-up?

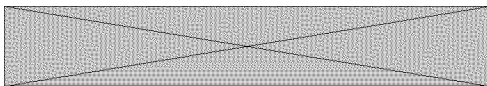
From: Wirtschaftfer, Joshua [<mailto:Wirtschaftfer.Joshua@epa.gov>]
Sent: Thursday, April 07, 2016 1:19 PM
To: Noah Perch-Ahern <nperchahern@glaserweil.com>
Cc: Ted Weiss <tweiss@glaserweil.com>; O'Brien, Brad (ENRD) <BO'Brien@ENRD.USDOJ.GOV>
Subject: RE: Reller subpoena and FOIA EPA-R9-2016-004460

I've got a conference call late this afternoon to discuss the subpoenaed documents. Maybe Brad and I can follow up with a call to you tomorrow.

From: Noah Perch-Ahern [<mailto:nperchahern@glaserweil.com>]
Sent: Thursday, April 07, 2016 11:55 AM
To: Wirtschaftfer, Joshua <Wirtschaftfer.Joshua@epa.gov>
Cc: Ted Weiss <tweiss@glaserweil.com>; O'Brien, Brad (ENRD) <Brad.O'Brien@usdoj.gov>
Subject: RE: Reller subpoena and FOIA EPA-R9-2016-004460

Hey Josh, just checking the status on this.

Also wanted to know if any progress was made on the FOIA financial assurance documents. I know we provided an extension, but was wondering whether it's going faster than maybe anticipated...thanks, -Noah



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From: Wirschafter, Joshua [<mailto:Wirschafter.Joshua@epa.gov>]
Sent: Friday, April 1, 2016 4:24 PM
To: Noah Perch-Ahern
Cc: Ted Weiss; O'Brien, Brad (ENRD)
Subject: RE: Reller subpoena and FOIA EPA-R9-2016-004460

Thanks.

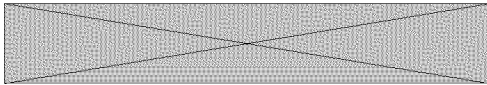
We haven't scheduled a call yet. I'll be in touch.

From: Noah Perch-Ahern [<mailto:nperchahern@glaserweil.com>]
Sent: Friday, April 01, 2016 4:20 PM
To: Wirschafter, Joshua <Wirschafter.Joshua@epa.gov>
Cc: Ted Weiss <tweiss@glaserweil.com>; O'Brien, Brad (ENRD) <Brad.O'Brien@usdoj.gov>; Armsey, Steven <Armsey.Steven@epa.gov>
Subject: RE: Reller subpoena and FOIA EPA-R9-2016-004460

Thanks, Josh. The extension is confirmed. Re the subpoena for Reller, I hope we can talk on Monday or Tuesday. Will you have conferred with Greg by then?

Best regards,

Noah



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From: Wirschafter, Joshua [<mailto:Wirschafter.Joshua@epa.gov>]
Sent: Friday, April 1, 2016 3:52 PM
To: Noah Perch-Ahern
Cc: Ted Weiss; O'Brien, Brad (ENRD); Armsey, Steven
Subject: Reller subpoena and FOIA EPA-R9-2016-004460

Hi Noah,

It was good to talk to you and Brad today about the FOIA and the subpoena for Greg Reller related to Leviathan. As you know, we agreed to talk to next week after we have had a chance to talk to Greg about the contents of his Leviathan Site File and you have had a chance to more thoroughly review the Annual Oversight Summary Reports. This will prepare us to have a more productive conversation about what you are looking for and what Greg might have.

We also discussed the FOIA No. EPA-R9-2016-004460 submitted by Ted Weiss of your law firm, Glaser Weil. I noted that we have already supplied the documents requested through the FOIA relevant to preparing for Reller deposition, and I requested 30 days to complete a response to the entire FOIA request (i.e., documents related to Atlantic Richfield's financial assurances at Leviathan). I also said I will endeavor to complete a response earlier (which will be more likely if my jury duty notice for next week does not lead to my being selected to serve on a jury.) You agreed to grant a 30 day extension.

Our FOIA tracking system lists the due date as April 5, so I will ask Steve Armsey, who manages that database, to update the due date to May 5. He would appreciate seeing your emailed confirmation of this extension.

Thanks,

Josh

Joshua Wirschafter

Assistant Regional Counsel

U.S. EPA, Region 9

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